Insights: Alerts

# Oregon’s Extended Producer Responsibility Law: Registration & Reporting Deadline Extended to April 30, 2025

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If your business is a brand owner that controls the manufacturing of its products, operates in the packaged goods space, or influences the retail or shipping packaging of products, you may be subject to state-specific Extended Producer Responsibility (“EPR”) laws. We previously reported on Oregon's March 31, 2025 deadline to register and report the volume of 60 different categories of covered materials. However, that deadline has been extended by a month—until April 30, 2025.

By way of background, Oregon's EPR law allows a “producer responsibility organization” called the Circular Action Alliance (“CAA”) to administer the state's EPR program, including setting the timeline, requirements, and other particulars of what a company must do to comply with Oregon's law. To comply, producers, manufacturers, and importers of packaging, printing and writing paper, and food serviceware must now register with CAA by April 30.

While the question of *if* your company qualifies as a “producer” obligated to register in Oregon can be a complex one (see our prior post). If you do business in Oregon, it would be prudent to make that determination before the fast-approaching April 30 grace period expires. CAA has advised that its initial review of information already submitted by producers in accordance with the original March 31 deadline is sufficient to allow CAA to proceed with setting the fee schedule that determines the monetary amount producers must pay for the first reporting period. It is unlikely CAA will further extend the reporting deadline in light of CAA's announcement that it plans to invoice producers in late May of this year. Even if CAA was to further extend Oregon's registration and reporting deadline, it has limited runway to do so since Oregon's EPR law requires fee payments concurrent with the program's official implementation date of July 1, 2025.

Missing this April 30 deadline to register and report may come with substantial business consequences, including enforcement proceedings with civil penalties of up to $25,000 per day for violations. While there is no public indication that enforcement proceedings have yet begun, CAA will promptly submit a list of non-reporting producers to the Oregon Department of Environmental Quality (“DEQ”), which will follow up with producers concerning unmet compliance obligations and has authority to impose penalties. Further, reporting before April 30 will allow CAA to recalibrate its fee schedule to lower the per-ton fees associated with each category of covered material: the more people potentially paying into the program, the less the price per individual ton of covered material needs to be to maintain the program's economic viability. So timely registration helps everyone who may ultimately be paying these fees.

If you have any questions or concerns about environmental laws and regulations, or any advertising claims, please feel free to contact us. Kilpatrick's Advertising and Marketing team.

## Related People


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